4: Carawan & Carawan B,Z-5 (1959-1988) 1989
NN23 Sea Islanders NN23
South Carolina
Johns Island

142
302
291
416

Ms. Elaine Jenkins

WE CAN HAVE SOME SAY AS TO WHAT'S GOING TO BE DEVELOPED

423
425

We've been meeting and talking about heirs' property and how to get it cut up now so that folk don't lose all of it. There are so many people involved, all it takes is for one person to sell out. Once that one sells and some stranger gets in, he can force a partition suit, and they may end up losing a whole tract of land. What we've been trying to do is tell them how to get it partitioned among family members. So if one wants to sell, fine. He will just have that acre or so. But not the whole tract going out from under them.

[651]
[428]

I'm talking to them about taxes and the importance of paying those taxes. And we're notifying people when we see their land up for sale for nonpayment of taxes. I'm talking to them about making wills. If you don't make a will that's where all these heirs come in. It's just so much to keep up with.

Being a lawyer is something I always knew I wanted to do, from the time I can remember. And my intentions were always to return to Charleston and Johns Island. This is where I wanted to be. I love this place.

We can have some say as to what's going to be developed—what's going to go up and where it's going to go up. That's still open to us.

11: Johnson H-4,5 (no date) 1930
(1525-ca. 1880)
NN23 Sea Islanders NN23
South Carolina
St. Helena Island

In February, 1863, the Government began to sell the conquered territory at auction for the Federal direct tax levied by the Act of August 5, 1861. Some of the land was sold to private individuals and some was bid in by the United States for naval and military purposes and some for "school farms," the profits from which were to be applied to the education of the Negro, now declared free by Act of Congress, July 17, 1862,[33] and by virtue of the President's proclamation of January 1, 1863.

In 1864 all Government plantations were leased to white superintendents. After rejecting in 1862 the plan of the cotton agents to rent out the plantations, the Government had come two years later to accept it. But General Saxton, still the director of "freedmen's affairs," did not propose to stand by and see the Negro abused. In April, 1864, he issued a circular requiring all superintendents of plantations, whether of government or private ownership, to file a signed statement with their general superintendents setting forth the terms of the agreement existing between themselves and their laborers. The general superintendent was then ordered to visit the plantation, explain the contract to the Negroes, and affix to it the names of all who agreed to the terms. Any laborer who objected to them was warned to leave his employer or to stay at his own risk.[34]

In many instances, the general superintendents encouraged the teachers to lease the school farms and permitted them to do so free of rent, provided that they live on the plantation and teach the children of their "dis-

[33] *U. S. Statutes at Large*, XII, 591. Congress declared free all slaves of rebel masters on places occupied by the United States forces, or escaping thereto.

[34] *Letters from Port Royal*, p. 262n.

11: Johnson H-4,5 (no date) 1930
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South Carolina
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enough corn to supply themselves with hominy and grits and their chickens, pig, and ox with a scanty meal a day pieced out with marsh grass and with moss which they pulled down from the live oaks with long poles. When they sold their cotton in the late fall, they had a little money. With this they paid their taxes and bought clothes, and during the rest of the year lived without money.

Sometimes their crops did not yield enough to meet the taxes. In May, 1872, the *Beaufort Republican* advertised 318 farms on St. Helena and Ladies islands for sale, the taxes on which had not been paid for three years.[15] The size of their holdings was not only reduced by sale for taxes but also by division among heirs, so that it was not long until the condition which Philbrick had predicted in 1864 actually occurred. He had thought of dividing his plantations among the Negroes by selling them life-leases in order to protect them in the ownership of their land. In explaining his unwillingness to sell the land in fee simple he wrote to his superintendent:

> This occurred to me as a means of avoiding the terrible and disastrous confusion which it will be next to impossible to avoid after a term of years, if the fee should be conveyed, when the purchasers die and sell or change land as they will to a certain extent in time. It is bad enough to trace a title and find out whether it is good for anything here in systematic New England, . . . but it makes my orderly bones ache to think of a time when, after some men now purchasing land shall die, leaving two or three sets of children, some born under wedlock and some not, some not their own but their wives' children, some even of questionable parentage, and some who were never heard of before, all claiming a slice of the

[15] *Beaufort Republican*, May 29, 1872.